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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15 IN RE MATERIAL WARRANT

Case No. 07 90552 MISC VRW (JCS)

16 **DEFENDANT JOHN J. COTA'S**
17 **RESPONSE TO EMERGENCY**
18 **APPLICATION FOR TRAVEL ORDER**
19 **FOR ZONG BIN LI**

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21 In light of the exigent family circumstances, defense counsel for John Cota has no objection
22 to Zong Bin Li returning to the PRC China to visit his ailing grandmother and other family members.
23 The Court should require the government and defense counsel to agree to adequate security and set
24 other appropriate guidelines as to his travel order. In addition, the Order should require that Zong
25 Bin Li should be ordered to return for trial sufficiently in advance of the current November 17, 2008
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DEFENDANT JOHN J. COTA'S RESPONSE TO EMERGENCY APPLICATION FOR TRAVEL
ORDER FOR ZONG BIN LI
CR 08-0160 SI

1 trial date. In the alternative, the Court should require that Zong Bin Li be ordered to submit
2 to a Rule 15 deposition.

3 Respectfully submitted,

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5 DATED: August 25, 2008.

KIRKPATRICK & LOCKHART
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8 By: /s/ Jeffrey L. Bornstein

9 Jeffrey L. Bornstein, Esq.
10 Barry M. Hartman, Esq., *Admitted Pro Hac Vice*
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PROOF OF SERVICE

I am employed in the County of San Francisco, State of California by a member of the Bar of this Court, at whose direction this service was made. I am over the age of 18 and not a party to the within action. My business address is 55 Second Street, Suite 1700, San Francisco, CA 94105. On August 25, 2008, I served the document(s) described as:

DEFENDANT JOHN J. COTA'S RESPONSE TO EMERGENCY APPLICATION FOR TRAVEL ORDER FOR ZONG BIN LI

on the parties to this action named on the attached service list by the method described below.

(BY PERSONAL SERVICE) I caused a true and correct copy of said document(s) to be served by hand to the addressee(s) listed above, with the name and address of the person served shown on the envelope.

(BY OVERNIGHT DELIVERY) I enclosed a true and correct copy of said document(s) in an envelope/package provided by an overnight delivery carrier addressed to the addressee(s) listed above, sealed it, and placed it for collection and overnight delivery following the ordinary business practices of Kirkpatrick & Lockhart Preston Gates Ellis LLP. I am readily familiar with the firm's practice of collecting and processing correspondence for overnight delivery. On the same day that correspondence is placed for collection and overnight delivery, it is collected by an overnight delivery carrier. Delivery fees are pre-paid or provided for in accordance with the ordinary business practices of Kirkpatrick & Lockhart Preston Gates Ellis LLP.

X (BY ELECTRONIC TRANSMISSION) I transmitted a true and correct copy of said document(s) by electronic mail to the offices of the addressee(s). I did not receive, within a reasonable time after the transmission, any message or other indication that the transmission was unsuccessful.

(BY FACSIMILE) I transmitted a true and correct copy of said document(s) by facsimile to the offices of the addressee(s). Upon completion of the facsimile transmission, a transmission report was issued showing the transmission was complete and without error.

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Executed on August 25, 2008 at San Francisco, California.

I declare under penalty of perjury that the foregoing is true and correct.

/s/Maria Batres

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